

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DARIS EMMANUEL BOYD,
EARL ALEXANDER HUBBARD, JR., and
DE'ZYA MO'NAY HUBBARD, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

UNPUBLISHED
October 14, 2003

V

MARGARET ELLINGTON and EARL
HUBBARD, SR.,

No. 244925
Kalamazoo Circuit Court
Family Division
LC No. 97-000106-NA

Respondents-Appellants,

and

DWAYNE BOYD,

Respondent.

Before: Smolenski, P.J., and Murphy and Wilder, JJ.

MEMORANDUM.

Respondents-appellants appeal as of right from the trial court order terminating their parental rights to the minor children under MCL 712A.19b(3)(g). We affirm.

After carefully reviewing the record, we are satisfied that the trial court did not clearly err in finding that the statutory ground for termination was established by clear and convincing evidence. MCR 5.974(I);¹ *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999). In addition to housing and employment issues, a therapist reported that Ellington continued to express anger toward the court for removing the children from her care, continued to take no responsibility for their removal or the removal of her six older children, and denied that she had neglected the children at issue. Hubbard was incarcerated for the majority of his children's lives and continues

¹ As of May 1, 2003, the provisions of this rule are found in MCR 3.977(J).

to be incarcerated with a release date as late as May, 2005. Due to his incarceration, he has neglected these children and failed to ensure that they received proper care.

Further, the evidence did not show that termination of respondents-appellants' parental rights was clearly not in the children's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Thus, the trial court did not clearly err in terminating respondents-appellants' parental rights to the minor children.

Affirmed.

/s/ Michael R. Smolenski

/s/ William B. Murphy

/s/ Kurtis T. Wilder